



APPLICATION ACCEPTED: May 5, 2014  
BOARD OF ZONING APPEALS: September 17, 2014  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

---

**September 10, 2014**

## **STAFF REPORT**

**SPECIAL PERMIT SP 2014-MA-060**

### **MASON DISTRICT**

**APPLICANT/OWNER:** Violeta Borgono and Children's Academy of Early Learning, Inc.

**OWNERS:** Violeta Borgono

**SUBDIVISION:** Foster Property

**STREET ADDRESS:** 6332 Meeting House Way, Alexandria, 22312

**TAX MAP REFERENCE:** 72-2 ((13)) 17

**LOT SIZE:** 1,430 square feet

**ZONING DISTRICT:** R-8

**ZONING ORDINANCE PROVISIONS:** 8-305

**SPECIAL PERMIT PROPOSAL:** To permit a home child care facility.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2014-MA-060 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505**

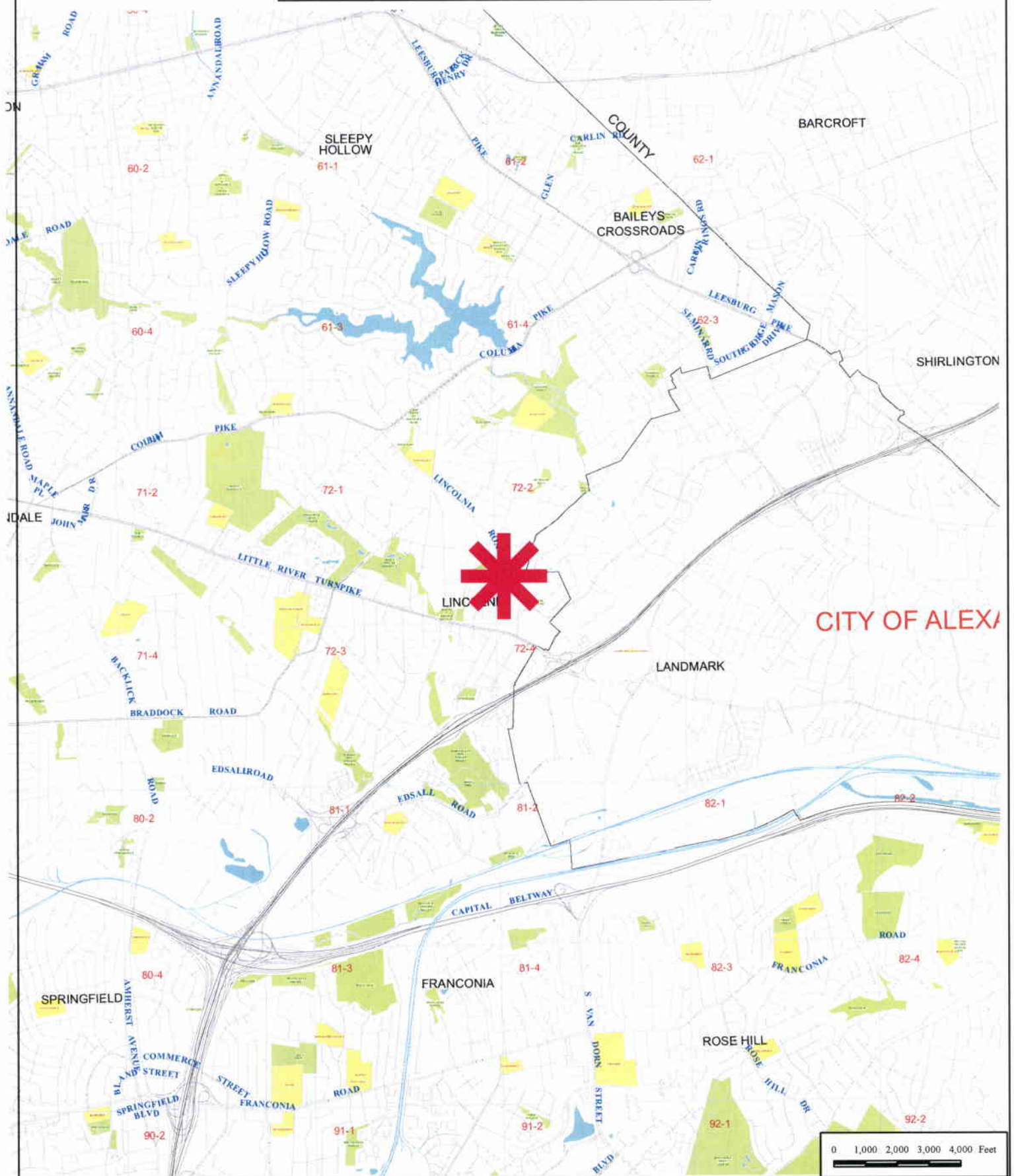


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit

SP 2014-MA-060

VIOLETA BORGONO DBA CHILDREN'S ACADEMY  
OF EARLY LEARNING, INC.

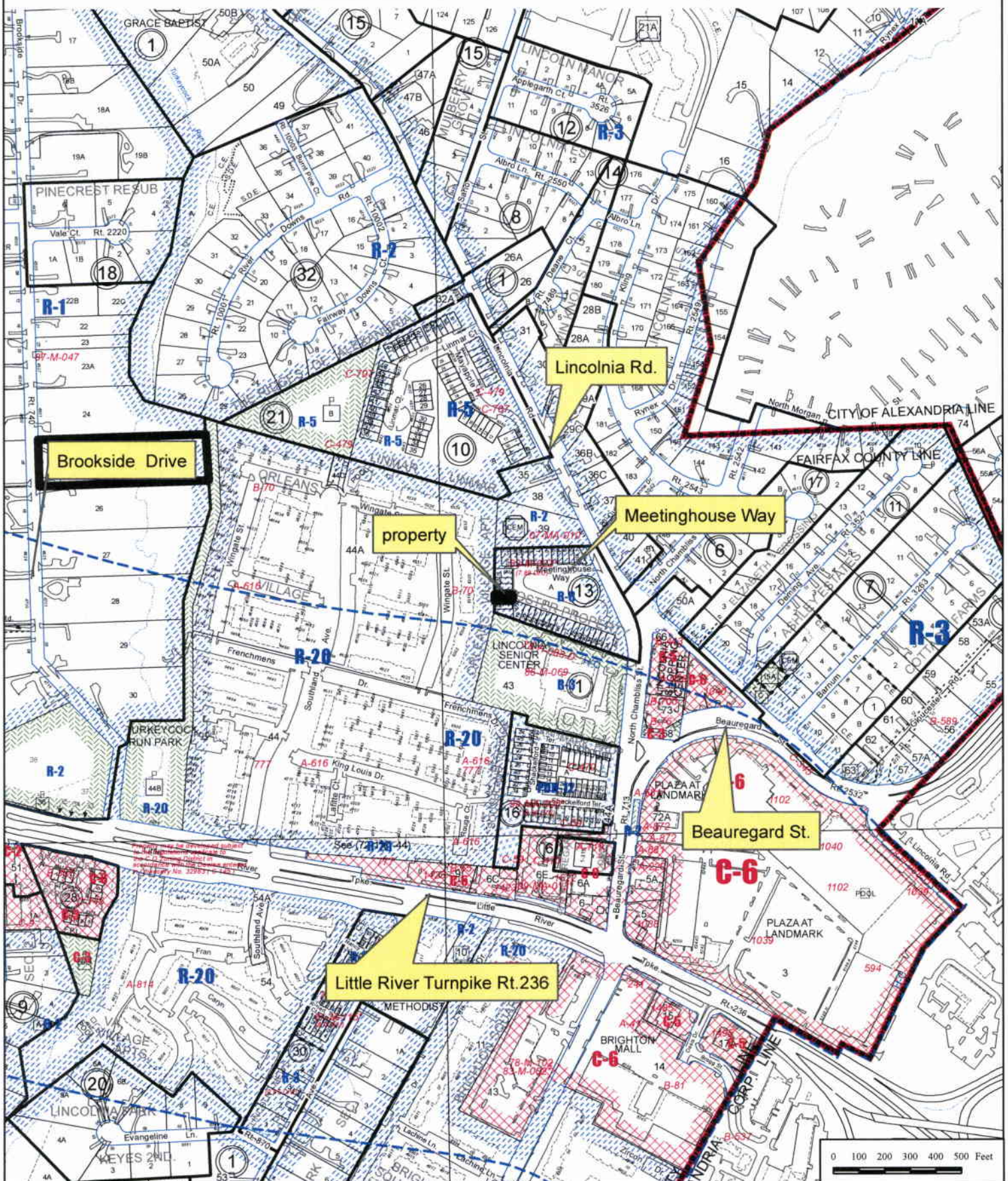




# Special Permit

SP 2014-MA-060

VIOLETA BORGONO DBA CHILDREN'S ACADEMY  
OF EARLY LEARNING, INC.



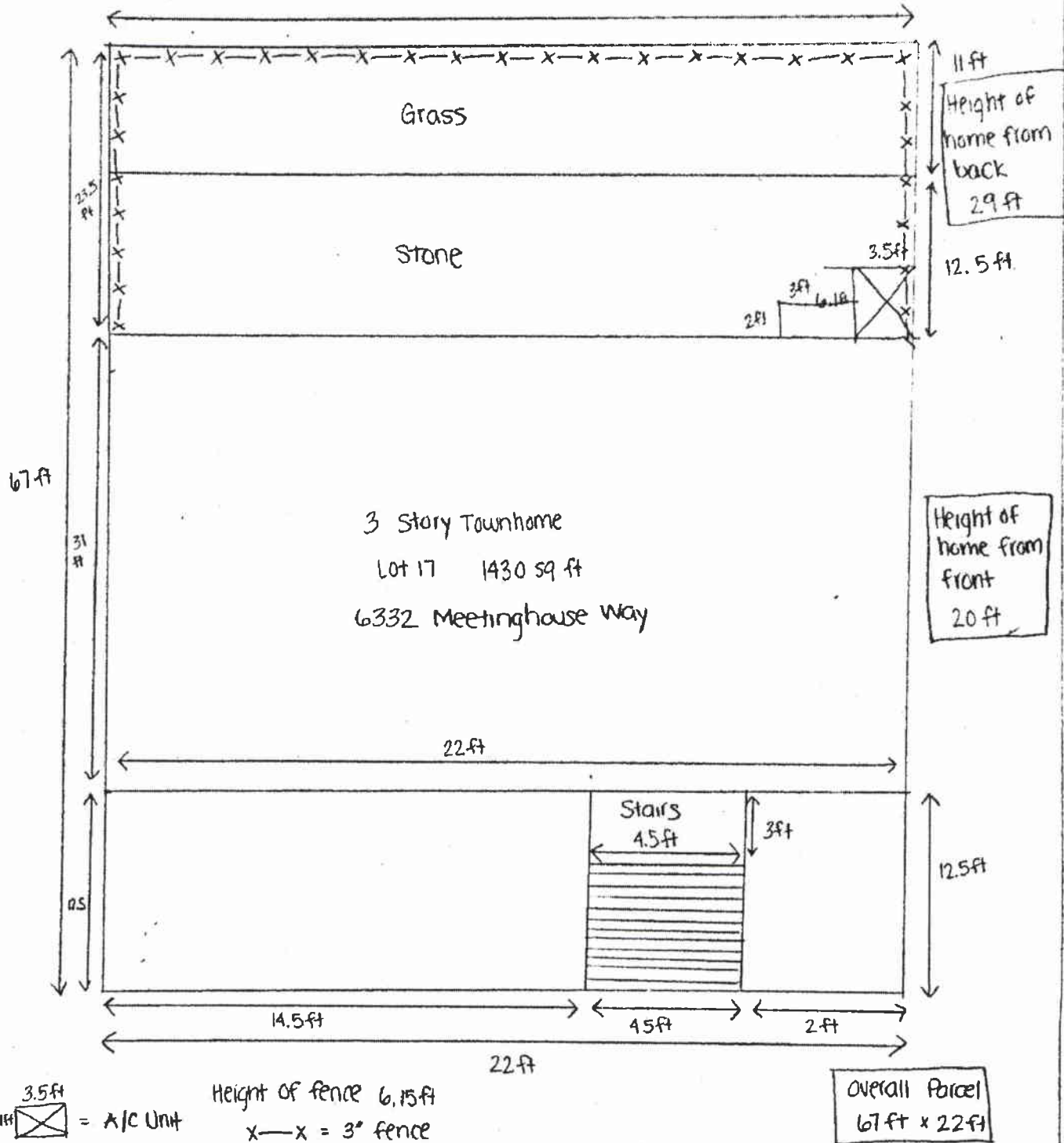


RECEIVED  
Department of Planning & Zoning  
SEP 02 2014  
Zoning Evaluation Division

House Location Plat (to scale)  
(1 inch = 4.4 ft)

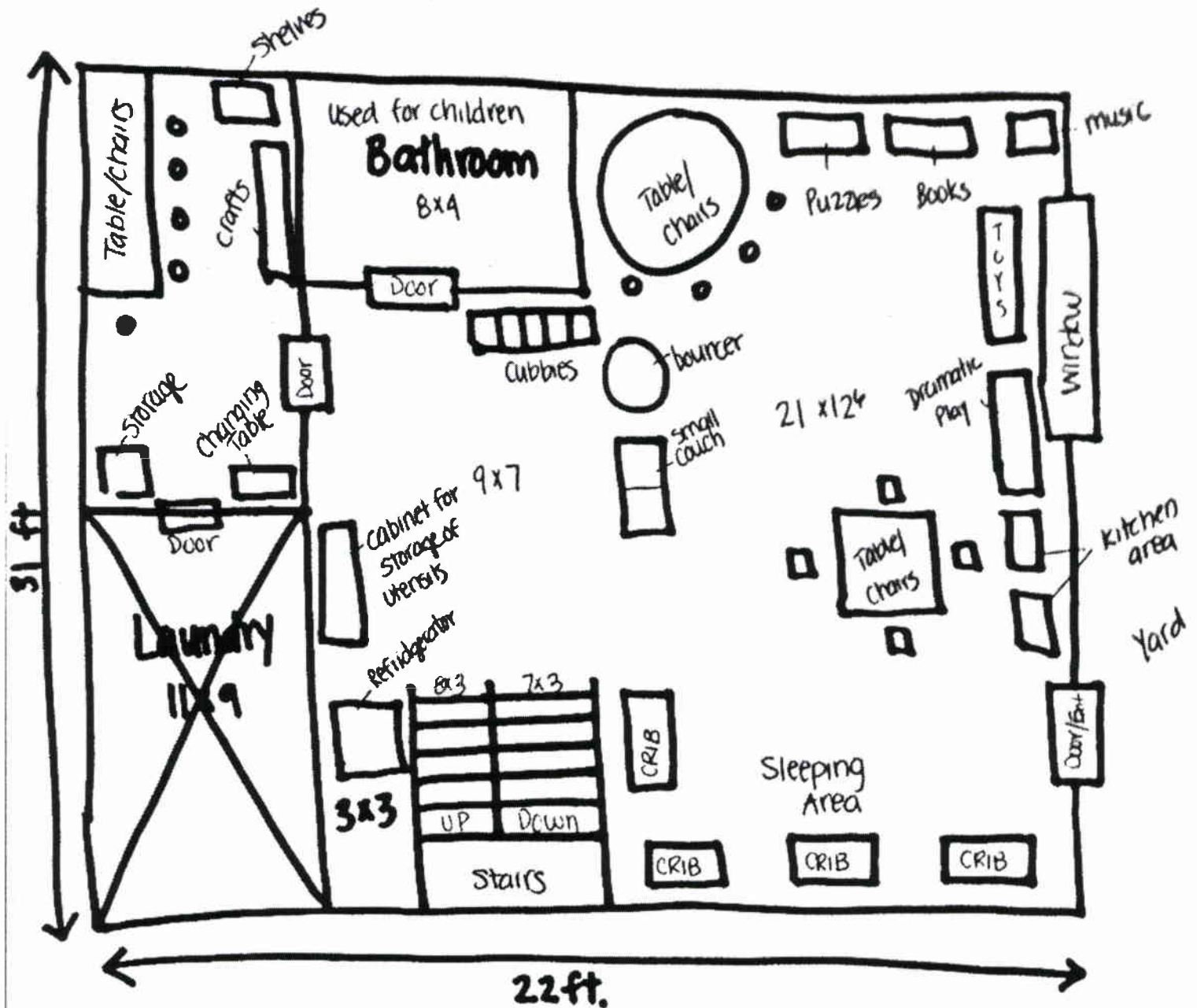
Commonwealth of Virginia  
County of Fairfax  
Lot 17

Outdoor Play Area  
23.5' x 21.8' = 512.3



Susan Carcedo Susan Carcedo 9/2/14

# Basement



Rooms used for child  
care facility

## Basement

31 ft. x 22 ft.

682 sq. ft.



1/15/2014: Front of house



1/15/2014: Basement





8/4/2014: Basement Egress



8/4/15: Small multi-purpose room



1/15/2014: Backyard play area



4/25/2014: Backyard fence





4/25/2014: Meeting House Way



4/25/2014: Reserved parking spaces

## SPECIAL PERMIT REQUEST

The applicant requests approval of a special permit for a home child care facility for up to twelve children at any one time within an existing dwelling.

A copy of the special permit plat titled "House Location Plat" prepared by Susan Caicedo, dated September 2, 2014, is included at the front of the staff report.

A detailed discussion of the request is included on page two.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The 1,430 square foot lot is located in the Foster Property subdivision. The lot is zoned R-8, and is developed with a three-story townhome dwelling consisting of 2,046 square feet of floor area. A wooden fence is located along the side and rear property lines, enclosing the backyard. The lower level includes a walk-up access to the outside.





Ingress and egress to the site is provided via Meeting House Way. A concrete walk extends from the street to the front door of the dwelling. The application property's surrounding lots to the north and east are zoned R-8 and are developed with single family attached dwellings. To the south is the Lincolnia Senior Center, which is zoned R-3, and the surrounding lots to the west are zoned R-20 and are developed with apartments.

## **BACKGROUND AND HISTORY**

County Records show that the dwelling was constructed in 1986. The applicant purchased the property in October 2005. The applicant indicates that she currently operates a home child care facility for ten children. The applicant holds a current license, which is valid until April 1, 2015, from the Commonwealth of Virginia, Department of Social Services for a Family Day Home with a capacity of twelve children, aged birth through 12 years 11 months. A portion of the existing home, the lower level, was converted into the home child care facility.

County records reflect that there have been no similar requests in the vicinity.

## **DESCRIPTION OF THE APPLICATION**

The applicant is requesting approval of a special permit for a home child care facility for up to twelve children, at any one time, to operate between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday. The applicant indicates that drop-off of children is staggered between 7:00 a.m. and 8:30 a.m. and pick-up is between 3:30 p.m. and 6:00 p.m. Employees include the applicant and one assistant.

The home child care facility is operated in a portion of the main level of the dwelling, which includes a kitchen, and a portion of the basement, which includes one large multi-purpose room and one smaller multi-purpose room. A development condition has been provided to ensure that the nap area is located in an area with adequate egress. There is a fenced, partially paved rear yard where the children play outside. Parents access the child care facility from the front of the dwelling, which has a walk-up access.

## **COMPREHENSIVE PLAN PROVISIONS**

<b>Plan Area:</b>	Area I, Lincolnia Planning District
<b>Planning Sector:</b>	L1-Pinecrest Community Planning Sector
<b>Plan Map:</b>	Residential use at 5-8 dwelling units per acre (du/ac)

## **ZONING ORDINANCE REQUIREMENTS**

- General Special Permit Standards (Sect. 8-006)
- Group 3 Uses (Sect. 8-303)
- Additional Standards for Home Child Care Facilities (Sect. 8-305)
- Sect. 10-103 Par. 6 Location Regulations

This special permit is subject to the sections of the Zoning Ordinance outlined above, a copy of which is included in Appendix 7. Subject to the development conditions, the special permit must meet these standards.

### **On-site Parking and Site Circulation**

Vehicular access to the site is provided from Meeting House Way off Lincolnia Road. There are multiple guest parking spaces in front of the property, and a total of eight guest parking spaces throughout the development on Meeting House Way. The applicant indicates that during the day she parks away from the residence, leaving room in the two designated parking spaces in front of the dwelling for parents to drop-off and pick-up the children. Development Condition 10 ensures that all drop-off and pick-up occurs within the two designated parking spaces. The assistant does not drive. From visual observation of the parking areas, adequate parking exists to accommodate the use.

### **Zoning Inspection Analysis**

During the site visit of August 18, 2014, no concerns were identified, and no complaints have been filed with the Department of Code Compliance.

## **CONCLUSION AND RECOMMENDATIONS**

Staff believes that the subject application is in conformance with the applicable Zoning Ordinance provisions with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report. Staff recommends approval of SP 2014-MA-060.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.



**APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Zoning Inspections Branch (ZIB) Comments
5. Fairfax County Department of Transportation (FCDOT) Comments
6. State License Information
7. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****September 10, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-MA-060 located at Tax Map 72-2 ((13)) 17 for a home child care facility pursuant to Section 8-305 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Violeta Borgono and Children's Academy of Early Learning, Inc., only and is not transferable without further action of the Board, and is for the location indicated on the application, 6332 Meetinghouse Way, and is not transferable to other land.
2. This special permit is granted only for the home child care facility use indicated on the special permit plat prepared by Susan Caicedo, dated September 2, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit **SHALL BE POSTED in a conspicuous place on the property of the use** and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. The maximum number of children on site at any one time shall be 12, excluding the applicant's own children.
6. The dwelling that contains the child care facility shall be the primary residence of the applicant.
7. There shall be no signage associated with the home child care facility.
8. The nap area shall be located in an area with adequate egress.
9. The maximum number of non-resident assistants for the home child care shall be one.
10. All pickup and drop off of children shall be limited to the applicant's assigned parking spaces. The approval of the use is contingent upon the applicants' continued right to use the parking spaces.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six (6) months after the date of approval unless the use has been established as outlined above. The number of children shall not be increased above seven until all conditions are met. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.



Application No.(s): \_\_\_\_\_  
 (county-assigned application number(s), to be entered by County Staff)

### SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3/1/2014  
 (enter date affidavit is notarized)

123998

I, Violeta Borgono and Children's Academy of Early Learning, Inc., do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)      ☒ applicant  
                          ☐ applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

**(NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Violeta Borgono	6332 Meetinghouse Way Alexandria, VA 22312	Applicant/Title Owner
Susan Caicedo	5521 Mitcham Ct. Springfield, VA 22151	Agent for Applicant/Title Owner
Children's Academy of Early Learning, Inc.	6332 Meetinghouse Way Alexandria, VA 22312	Co-Applicant

(check if applicable)      ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): \_\_\_\_\_  
 (county-assigned application number(s), to be entered by County Staff)

Page Two

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

123998

DATE: 3/1/2014  
 (enter date affidavit is notarized)

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

**(NOTE:** Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Children's Academy of Early Learning, Inc.  
 6332 Meetinghouse Way  
 Alexandria, VA 22312

**DESCRIPTION OF CORPORATION:** (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.  
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.  
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

Violeta Borgono, President  
 Susan Caicedo, Director

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): \_\_\_\_\_  
 (county-assigned application number(s), to be entered by County Staff)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/1/2014  
 (enter date affidavit is notarized)

123998

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

N/A

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.



Application No.(s): \_\_\_\_\_  
 (county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/1/2014  
 (enter date affidavit is notarized)

123998

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on the line below.)

None

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): \_\_\_\_\_  
 (county-assigned application number(s), to be entered by County Staff)

Page Five

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/1/2014  
 (enter date affidavit is notarized)

123998

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)

None

**(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)**

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

☒ Applicant☐ Applicant's Authorized Agent

Violeta Borgono

(type or print first name, middle initial, last name, and title of signee)



Subscribed and sworn to before me this 01 day of MARCH 2014, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

My commission expires:

11/30/14

Notary Public

RECEIVED  
Department of Planning & Zoning

APR 25 2014

Zoning Evaluation Division

Violeta Borgono  
Children's Academy of Early Learning, Inc.  
6332 Meetinghouse Way  
Alexandria, VA 22312  
703-658-0559  
[childrensacademy123@gmail.com](mailto:childrensacademy123@gmail.com)

April 15, 2014

Fairfax County Department of Planning & Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, VA 22035

Re: Special Permit Application  
Applicant: Violeta Borgono  
Zoning Ordinance Section 8-305 for Home Child Care Facility and  
Section 8-004 of General Standards  
Tax Map #: 0722 13 0017  
Zoning District: R-8  
Lot Size: 1430 square feet

To Whom It May Concern,

Please accept the following as my statement of justification for a special permit for a home child care facility in my home. I own and live in a single-family attached dwelling at 6332 Meetinghouse Way in Alexandria, Virginia with my son. The property is zoned R-8 and I understand I need to seek approval of a special permit in order to operate a child care facility within my home. I am currently licensed by the State of Virginia to have 12 children in my child care facility home. I am seeking approval for 12 children while currently caring for 10 children. Below is information about my child care facilities operations:

Hours. The child care is open from 7:00 AM to 6:00 PM, Monday through Friday

Number of Children. I care for up to 12 children at any one time. I am currently caring for a total of 10 children.

Employees. I have one assistant who works full-time.

Arrival Schedule. Three of the children arrive between 7:00 AM and 7:30 AM. Three children arrive between 7:30 AM and 7:45 AM. Two children arrive between 7:45 AM and 8:00 AM. Two children arrive between 8:00 AM and 8:30 AM. Please note that one child is part of my after-school care and days and arrival time varies, depends if coming after school or if coming when Fairfax County Public School Closes.



Departure Schedule. Two children are picked up between 3:30 PM and 4:30 PM. Four children leave between 4:30 PM and 5:00 PM. Four children are picked up between 5:00 PM and 5:30 PM. One child gets picked up between 5:30 PM and 6:00 PM. Please note that one child that is part of my after-school care program is picked up from 4:30-5:30 PM, days vary. (See Attachment 1)

Area Served. Currently, most of the children live in and around Northern VA. All parents drive their children to my house. Three children come from Springfield, VA, one comes from Annandale, VA, two come from Arlington, VA and three come from Alexandria, VA.

Operations. As I stated, my house is a single-family attached dwelling. It has a walkout basement, which is where the children spend most of their time. I use the kitchen located on the main level for preparing meals and snacks. The bathroom on the main level is used by parents, as needed. Attached is a floor plan that indicated the areas where the day care is located. The house has 1,430 square feet. The basement, kitchen, and bathroom areas where I conduct the day care consist of approximately 660 square feet in total. (See Attachment 2 for floor layout and interior photos)

Hazardous or Toxic Substances. The house and yard are free from hazardous or toxic substances. No hazardous materials will be generated, utilized, stored, treated, and/or disposed of onsite.

Zoning Ordinance Compliance. The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standard or if any waiver, exception or variance is sought, such request has been specifically noted with the justification for such modifications.

Outdoor Play Area. I use my backyard for outdoor play for the children. The area is approximately 512.3 square feet. There is a play house, see-saw, a car ride and fence on my most recent house location drawing which is included.

Parking. During business hours there are no cars parked in my 2 reserved parking spots. In addition to my 2 reserved parking spots there is plenty of guest parking spots located in front of my house.

In conclusion, I am proposing no changes to the outside appearance of my vinyl siding home. I propose no addition and no signs regarding the day care. Adequate parking is available for my parents, employees and my family. For these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

Sincerely,



Violeta Borgono  
Owner of Children's Academy of Early Learning, Inc.



# County of Fairfax, Virginia

## MEMORANDUM

Date: August 18, 2014

To: Mike Van Atta, Staff Coordinator  
Zoning Evaluation Division  
Fairfax County Department of Planning and Zoning

From: Dawn Curry  
Senior Zoning Inspector  
Zoning Inspection Branch

Subject: Home Child Care – 2<sup>nd</sup> Inspection

Applicant: Violeta Borgono  
6332 Meetinghouse Way, Alexandria, Virginia 22312  
Foster Property Lot 17 Tax Map#72-2 ((13)) 0017  
Zoning District: R-8 (Residential 8 DU/AC) Magisterial District: Mason  
Mail Log # 2014-0233  
Date of Inspection: August 18, 2014

KEY: A “✓” mark in a box indicates that the item was deficient. An unmarked box indicates that no violation was found.

- ☐ Rooms used for sleeping must provide two means of exit, one which leads directly to the outside, as required by the Virginia Uniform Statewide Building Code. (32-12-30.)
- ☐ An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
- ☐ All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.
- ☐ All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.
- ☐ Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.

- ☐ Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.
- ☐ A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.
- ☐ Structures comply with the Zoning Ordinance.






## County of Fairfax, Virginia

**MEMORANDUM**

DATE: July 2, 2014

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Michael A. Davis, Acting Chief   
Site Analysis Section  
Department of Transportation

**FILE:** 3-6 (SP 2014-MA-060)

**SUBJECT:** Transportation Impact

**REFERENCE:** SP 2013-MA-060; Violeta Borgono dba Children's Academy of Early Learning, Inc.  
Land Identification: 72-2 ((13)) 17

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the plats made available to this office dated January 12, 2014, and revised through April 15, 2014. The application is to permit a home child care center for up to 12 children. Hours of operation are Monday through Friday from 7:00 a.m. to 6:00 p.m. The applicant currently cares for 10 children and has a state license for 12. There is one full-time assistant.

The applicant has a townhouse with two reserved parking spaces available for parents and there is guest parking. This department has no transportation issues with this application.

MAD/LAH/lah

**Violeta Borgono**  
6332 Meetinghouse Way  
ALEXANDRIA, VA 22312  
(703) 658-0559

**Facility Type:** Family Day Home

**License Type:** Two Year

**Expiration Date:** April 1, 2015

**Business Hours:** 7:00 a.m. - 6:00 pm  
Monday - Friday

**Capacity:** 12

**Ages:** Birth - 12 years 11 months

**Inspector:** Dolores Casseen  
(703) 359-6734

**8-006****General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.



**8-303 Standards for all Group 3 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

## 8-305

**Additional Standards for Home Child Care Facilities**

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.
4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
  - A. The dimensions, boundary lines and area of the lot or parcel.
  - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
  - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
  - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

**Sect. 10-103 Use Limitations**

6. The following use limitations shall apply to home child care facilities:

- A. The maximum number of children permitted at any one time shall be as follows:
  - (1) Seven (7) when such facility is located in a single family detached dwelling.
  - (2) Five (5) when such facility is located in a single family attached, multiple family or mobile home dwelling.

The maximum number of children specified above shall not include the provider's own children.

- B. A home child care facility shall be operated by the licensed or permitted home child care provider within the dwelling that is the primary residence of such provider, and except for emergency situations, such provider shall be on the premises while the home child care facility is in operation. Notwithstanding the above, a substitute care provider may operate a home child care facility in the absence of the provider for a maximum of 240 hours per calendar year.
- C. There shall be no exterior evidence, including signs, that the property is used in any way other than as a dwelling, except that play equipment and other accessory uses and structures permitted by this Part shall be allowed.
- D. In addition to the persons who use the dwelling as their primary residence, one (1) nonresident person, whether paid or not for their services, may be involved in the home child care use on the property, provided that there is only one (1) such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.
- E. Notwithstanding the provisions of Par. B above, a child care provider may care for the maximum number of children permitted in Par. A above in a dwelling other than the provider's own, as long as the dwelling is the primary residence of at least one of the children being cared for by the provider. Such child care provider shall comprise the one nonresident person allowed under Par. D above.
- F. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

G. An increase in the number of children permitted under Par. A above or the involvement of more than one nonresident person as permitted under Par. D above may be permitted in accordance with the provisions of Part 3 of Article 8.